

STATE OF MICHIGAN
DEPARTMENT OF LABOR AND ECONOMIC GROWTH
MICHIGAN TAX TRIBUNAL

Leo and Yvonne Betts,
Petitioners,

v

MTT Docket No. 298520

City of Grand Blanc,
Respondent.

Tribunal Judge Presiding
Sherry A. Lee

OPINION AND JUDGMENT

INTRODUCTION

A hearing of the real property assessment matter in the above-captioned case was held before the Michigan Tax Tribunal on September 20, 2005 in its Lansing, Michigan offices. Petitioners were represented by attorney Sherri L. Belknap. Respondent, City of Grand Blanc, was represented by attorney Robert H S. Schaffer. Both parties presented witnesses, which included Petitioners' valuation experts, Joan Byrd and John Snyder, and Respondent's valuation expert, Marie Collias, Assessor for the City of Grand Blanc. Petitioners offered 29 exhibits and all were admitted. Respondent offered 16 exhibits and all were admitted. Petitioners are appealing the assessed values for 2003, contending that the assessments exceed fifty percent of the property's true cash value. Respondent contends that its assessments are proper and do not exceed applicable statutory limitations.

SUMMARY OF CASE

The underlying issues in this case relate to the subject property's true cash value and taxable values for the 2003 tax year. Petitioners purchased the subject property for \$94,900 in 2001 as vacant land in order to build a new home. They obtained several estimates from different companies for the construction. Although most of the estimates were around \$440,000,

Petitioners chose Rajala Homes, Inc. for the construction of the home at its estimate of \$476,412.11, despite this being the highest estimate they received. Petitioners hired Rajala Homes, Inc because of its good reputation and their belief that its homes were built to last. In 2003, Respondent determined a true cash value for the property at \$642,240, an assessed value at \$321,120 and taxable value at \$320,370. Petitioners disputed Respondent's valuations and obtained two appraisals from two different companies. With the information from the two appraisals, Petitioners appealed the assessments at the Board of Review. The Board of Review reduced the assessed and taxable values to \$295,000 to reflect a true cash value of \$590,000. However, Petitioners contend that the true cash value of the subject property is \$445,000 and that the assessed and taxable value is \$222,500.

FINDINGS OF FACT

The subject property is located at 16811 Kings Fairway in Grand Blanc, Michigan. The property is classified as residential real property and is zoned RA. The property consists of a 3,486 square foot single-family, custom ranch style brick home built in 2002. The home has three bedrooms, two full and two half baths, two fireplaces, full unfinished basement, and a three-car garage. The lot size is 149 feet by 219 feet. The property is located in a residential subdivision known as Kings Pointe Greens. The neighborhood and subject property back up directly to a woodland nature and recreational preserve known as Grand Blanc Commons, owned by the City of Grand Blanc. Part of the neighborhood is bordered by Grand Blanc Golf Club, a public golf course. Subject property's legal description is Lot 28 Kings Pointe Greens No. 2 and it is identified as parcel number 56-10-576-007. Assessed and taxable values for 2003 for the subject property, as affirmed by the Board of Review, is \$295,000.

PETITIONERS' CONTENTIONS AND EVIDENCE

On March 28, 2001, Kings Pointe Enterprises, Ltd., a Michigan corporation, conveyed vacant land located at 16811 Kings Fairway, Grand Blanc, Michigan to Petitioners, Leo and Yvonne Betts. Petitioners paid \$94,900 for the vacant land. Petitioners wanted to build a new home on this vacant land. They obtained several estimates from different companies for the home's construction. Most of the estimates were around \$440,000. However, one estimate was from Rajala Homes, Inc. for \$476,412.11. Despite it being the highest estimate received, Petitioners entered into a construction agreement with Rajala Homes, Inc. for its estimated amount because Rajala Homes, Inc. had a very good reputation and Petitioners believed its homes were built to last. In 2003, Respondent determined a true cash value for the property at \$642,240, an assessed value at \$321,120 and taxable value at \$320,370. Petitioners disputed Respondent's valuations and obtained two appraisals from two different companies. On March 6, 2003, licensed appraiser Joan R. Byrd determined the value of the property by the Sales Comparison approach, as well as the Cost approach. Her opinion was that the market value of the property under the Sales Comparison approach was \$440,000. On March 7, 2003, licensed appraiser John Snyder, of John Snyder and Associates, completed an appraisal of the property. Mr. Snyder's opinion as to the market value of the property based on the Sales Comparison approach was \$450,000. The appraisers had no knowledge that the other appraiser was completing an appraisal of the property. The two appraisals are within \$10,000 of each other. Petitioners, therefore, assert they have provided substantial evidence of the fair market value of the property. Petitioners contend that the true cash value of the subject property is \$445,000 and that the assessed and taxable value is \$222,500.

RESPONDENT'S CONTENTIONS AND EVIDENCE

Petitioners, Leo and Yvonne Betts, acquired the subject property commonly known as 16811 Kings Fairway Lane, or Lot 28 of Kings Pointe Green No. 2, on March 28, 2001, for the purchase price of \$94,900. This property is located in a residential subdivision known as Kings Pointe Greens, Phase II. A Partnership Home Building Agreement (construction contract) was entered into on June 1, 2001, between Petitioners and Rajala Homes Corp. This custom home builder's contract was in the amount of \$476,412.11. However, with changes to the contract, Petitioners paid about \$500,000 to construct a custom-built home. Petitioners' property is a single-family custom built all brick home. A cost approach to valuation for the subject property would conclude a true cash value of \$619,942. However, a correct market analysis, with necessary and appropriate adjustments to comparable properties, yields a conclusion of true cash value at \$631,522. Respondent contends the true cash value of the subject property is better determined to be \$631,522, Respondent's market analysis; \$619,942, Respondent's cost approach; or \$590,000, as confirmed by the Board of Review.

CONCLUSIONS OF LAW

The assessment of real and personal property in Michigan is governed by the constitutional standard that such property shall not be assessed in excess of 50% of its true cash value, as equalized, and that beginning in 1995 the taxable value is limited by statutorily determined general price increases, adjusted for additions and losses.

The legislature shall provide for the uniform general ad valorem taxation of real and tangible personal property not exempt by law...The legislature shall provide for the determination of true cash value of such property; the proportion of true cash value at which such property shall be uniformly assessed, which shall not...exceed 50%...; and for a system of equalization of assessments. For taxes levied in 1995 and each year thereafter, the legislature shall provide that the taxable value of each parcel of property adjusted for additions and losses, shall not increase each year by more than the increase in the immediately preceding

year in the general price level, as defined in section 33 of this article, or 5 percent, whichever is less until ownership of the parcel of property is transferred. When ownership of the parcel of property is transferred as defined by law, the parcel shall be assessed at the applicable proportion of current true cash value. Const 1963, Art IX, Sec 3.

The Michigan Legislature has defined true cash value to mean the usual selling price.

As used in this act, cash value means the usual selling price at the place where the property to which the term is applied is at the time of assessment, being the price that could be obtained for the property at private sale, and not at auction sale except as otherwise provided in this section, or at forced sale. MCL 211.27(1); MSA 7.27(1).

True cash value is synonymous with fair market value. *CAF Investment Co v State Tax Comm*, 392 Mich 442, 450; 221 NW2d 588 (1974).

A proceeding before the Tax Tribunal is original, independent, and de novo. MCL 205.735 (1); MSA 7.650 (35)(1). The Tribunal's factual findings are to be supported by competent, material, and substantial evidence. *Antisdale v City of Galesburg*, 420 Mich 265, 277; 362 NW2d 632 (1984); *Dow Chemical Co v Dept of Treasury*, 185 Mich App 458, 462-463; 452 NW2d 765 (1990). Substantial evidence must be more than a scintilla of evidence, although it may be substantially less than a preponderance of the evidence. (Citations omitted) *Jones and Laughlin Steel Corp v City of Warren*, 193 Mich App 348, 352-353; 483 NW2d 416 (1992).

The petitioner has the burden of establishing the true cash value of the property.... MCL 205.737 (3); MSA 7.650 (37)(3). This burden encompasses two separate concepts: (1) the burden of persuasion, which does not shift during the course of the hearing; and (2) the burden of going forward with the evidence, which may shift to the opposing party. *Jones and Laughlin* at 354-355, citing: *Kar v Hogan*, 399 Mich 529, 539-540; 251 NW2d 77 (1976); *Holy Spirit Assn for*

the Unification of World Christianity v Dept of Treasury, 131 Mich App 743, 752; 347 NW2d 707 (1984).

There are three traditional methods of determining true cash value, or fair market value, which have been found acceptable and reliable by the Tax Tribunal and the courts. They are: (1) the cost-less-depreciation approach, (2) the sales-comparison or market approach, and (3) the capitalization-of-income approach. *Meadowlanes Limited Dividend Housing Assn v City of Holland*, 437 Mich 473, 484-485; 473 NW2d 636 (1991); *Antisdale* at 276-277, n 1. The market approach is the only appraisal method that directly reflects the balance of supply and demand for property in marketplace trading. *Antisdale* at 276, n 1. Variations of these approaches and entirely new methods may be useful if found to be accurate and reasonably related to the fair market value of the subject property. *Meadowlanes*, at 485, referencing *Antisdale* at 277, n 1. It is the duty of the Tribunal to select the approach that provides the most accurate valuation under the circumstances of the individual case. *Antisdale* at 277, citing *Pantlind Hotel Co v State Tax Comm*, 3 Mich App 170; 141 NW2d 699 (1966), *aff'd* 380 Mich 390 (1968).

Under MCL 205.737(1); MSA 7.650 (37)(1), the Tribunal must find a property's true cash value in determining a lawful property assessment. *Alhi Development Co v Orion Twp*, 110 Mich App 764, 767; 314 NW2d 479 (1981). The Tribunal may not automatically accept a respondent's assessment but must make its own findings of fact and arrive at a legally supportable true cash value. *Pinelake Housing Cooperative v Ann Arbor*, 159 Mich App 208, 220; 406 NW2d 832 (1987); *Consolidated Aluminum Corp v Richmond Twp*, 88 Mich App 229, 232-233; 276 NW2d 566 (1979).

The Tribunal is not bound to accept either of the parties' theories of valuation. *Teledyne Continental Motors v Muskegon Twp*, 145 Mich App 749, 754; 377 NW2d 908 (1985). The Tribunal may accept one theory and reject the other, it may reject both theories, or it may utilize a combination of both in arriving at its determination. *Meadowlanes* at 485-486; *Wolverine Tower Associates v City of Ann Arbor*, 96 Mich App 780; 293 NW2d 669 (1980). A similar position is stated in *Tatham v City of Birmingham*, 119 Mich App 583, 597; 326 NW2d 568 (1982): The Tax Tribunal is not required to accept the valuation figure advanced by the taxpayer, the valuation figure advanced by the assessing unit, or some figure in between these two. It may reject both the taxpayer's and assessing unit's approaches.

Valuation Discussion and Analysis

Petitioners submitted two independent appraisals of the subject property by Joan Byrd, a licensed residential appraiser, at \$440,000, and by John Snyder, a certified general appraiser, at \$450,000. Ms. Byrd visited the subject property on March 6, 2003 to take measurements and gather data. Under the Cost approach, Ms. Byrd estimated the value of the site at \$90,000; the estimated cost new of the improvements at \$372,778; depreciation at \$6,225; and site improvements at \$12,500. Therefore, Ms. Byrd indicated the value of the subject property by the Cost approach at \$469,000. For the Sales Comparison approach, in following the industry standard of six months to one year for the use of a comparable, Ms. Byrd selected sales of properties from the King Pointe area, which has a one mile radius from the subject property. She did not find any sales for ranch style homes in the Kings Pointe area. Therefore, she used two story homes in the Kings Pointe area and went outside the area to add a ranch style home as the third comparable. Comparable No. 1, 11676 Kings Colony, was reduced by \$20,000 for its golf course view. Comparable No. 2 was identified as 1353 Kings Pointe Road. Comparable No. 3, 6189 Perry

Road, was increased by \$5,000 for its traffic pattern. Adjustments were made to these comparables for differences in square footage, age of the home, number of bathrooms, basement, number of fireplaces, pole barn and amount of garage space. Based on her analysis of the subject property and the comparables selected, Ms. Byrd determined the fair market value of the subject property based on the Sales Comparison approach to be \$440,000. Mr. Snyder visited the subject property on March 7, 2003 to do a walk through observation. Under the Cost approach, Mr. Snyder estimated the value of the site at \$95,000; the estimated cost new of the improvements at \$392,640; depreciation at \$0; and, site improvements at \$15,000. Therefore, Mr. Snyder indicated the value of the subject property by the Cost approach at \$502,600. For the Sales Comparison approach, Mr. Snyder attempted to choose comparables that sold within a year. He used comparables that are within a half mile to a mile radius from the subject property. Comparable No. 1 was identified as 6189 Perry Road; Comparable No. 2 was identified as 11676 Kings Colony; Comparable No. 3 was identified as 11736 Kings Colony; and Comparable No. 4, 17091 Kings Fairway Lane, was reduced by \$25,000 for design and appeal. Adjustments were made to these comparables for differences in square footage, age of the home, number of bathrooms, basement finish, number of fireplaces, amount of garage space and other features. Based on his analysis of the subject property and the comparables selected, Mr. Snyder determined the fair market value of the subject property based on the Sales Comparison approach to be \$450,000.

Respondent's appraisal evidence was completed by assessor, Marie Collias. Based upon a land value of \$89,802; estimated land improvements \$6,648; and an adjusted depreciated cost for the home at \$523,492, Ms. Collias indicated the value of the subject property under the Cost

approach to be \$619,942. For the Sales Comparison approach, all of the comparables used by Ms. Collias are located in Kings Greens and on Kings Fairway, the same street as the subject. Comparable No. 1 is identified as 17115 Kings Fairway; Comparable No. 2 is 17091 Kings Fairway; Comparable No. 3 is 17032 Kings Fairway; and Comparable No. 4 is 16956 Kings Fairway. Adjustments were made for gross living area, number of bathrooms, amount of garage space, number of fireplaces and basement finish. Under the Sales Comparison approach, the average indicated value of the subject, based on the comparables, yields true cash value of \$631,522.

Petitioner, Yvonne Betts, gave testimony and presented, as exhibits, information relative to area homes not selling, even at lower prices. She testified there were several homes in the area she regarded as being more substantial than her home that were unsold after having been on the market anywhere from 5 months to a year, with listing and asking prices ranging from \$369,000 to \$489,000. However, the addition of such MLS data, without adjustments, was not sufficient evidence. Ms. Betts further testified that a home on her street, 17142 Kings Fairway Lane, a larger “Parade” home with many extras and amenities, had been on the market since June of 2002 and did not sell until August 4th, where the sale was recorded in 2003 for \$485,000. (T 26). Nevertheless, without reliable and complete information on the economic factors of the sale influencing the buyer’s decisions, it is difficult to arrive at a reliable indication of value for the proposed comparable in order to adjust it accurately to the subject property. While the information provided by Ms. Betts, overall, may be pertinent with respect to market conditions at the subject location, it generally is not sufficient to carry the burden of proof.

A relatively high amount of controversy in this matter is attributable to the unique character of the subject neighborhood, as well as the surroundings of the subject property relative to its specific location within the neighborhood. As stipulated by the parties, the neighborhood and subject property back up directly to Grand Blanc Commons, a woodland nature and recreational preserve owned by the City of Grand Blanc, and part of the neighborhood is bordered by Grand Blanc Golf Club, a public golf course. The subject property is located in the Kings Pointe Greens No. 2 subdivision. However, although Petitioners' valuation experts, Byrd and Snyder, used comparables located properly within a one mile radius of the subject property, the evidence indicated a distinct character difference between subject's Kings Pointe Greens subdivision and the neighboring Kings Pointe area. The subject property is located east of Genesee Road in the Kings Pointe Greens No. 2 subdivision. There is only one street and one court in this subdivision. The Kings Pointe area or subdivision is located west of Genesee Road and consists of a variety of streets, courts and trails. Respondent's Closing Brief (RCB) p 3. Petitioner, Yvonne Betts, testified that there are nineteen homes in Kings Pointe Greens and that there were eight or nine homes there in 2003. (T 41). Ms. Betts confirmed that in order to build a home in Kings Pointe Greens the homes have to be at least 2,800 square feet (T 47) and that Kings Pointe is a different subdivision than Kings Pointe Greens (T 48). Ms. Betts further testified that there are only a handful of homes on our street (Kings Fairway) and that there are many more homes in Kings Pointe (T 49). She also testified that the houses in Kings Pointe Greens are custom homes. (T 50). Petitioner's appraiser, Joan Byrd, testified that Kings Pointe was built in about twelve different phases and that the ages of the homes are from 20 years to one year. (T 93). With regard to Kings Pointe Greens, Respondent's assessor, Marie Collias, testified that there is only one entrance into and one entrance out of the subdivision and that it consists of about 19

custom homes where all are under ten years old. (T 140). Ms. Collias further testified that the City has 50-foot, as opposed to typical 30-foot, setback and 2,800 square feet minimum size requirements for homes built in Kings Pointe Greens. (T141). Therefore, the Tribunal finds the Kings Pointe Greens subdivision to be superior to the area of Kings Pointe.

Petitioners' appraiser, Joan Byrd, testified that none of the comparables in her appraisal were in Kings Pointe Greens. (T 72). She used two two-story homes in the Kings Pointe area and went outside of the area to add a ranch style as the third comparable. (T 65). Comparable No. 1 sold for \$454,000; Comparable No. 2 sold for \$420,000; and Comparable No. 3 sold for \$450,000. Therefore, as suggested by the comparables in Ms. Byrd's appraisal, the average sale price for homes in the area of Kings Pointe is \$441,300. Petitioners' appraiser, John Snyder, testified that the Betts' property is located west of Genesee and the comparables he used are east of Genesee, but within a half mile to a mile radius, which is important for general location. (T 108).

However, Mr. Snyder used one home in Kings Pointe Greens, actually on Kings Fairway, as part of his comparable analysis. (T 110). Comparable No. 1 sold for \$450,000; Comparable No. 2 sold for \$454,000; Comparable No. 3 sold for \$480,000; and, located in Kings Pointe Greens, Comparable No. 4 sold for \$639,000. Therefore, as suggested by Comparables 1, 2 and 3 in Mr. Snyder's appraisal, the average sale price for homes in the area of Kings Pointe is approximately \$460,000. When compared to Comparable No. 4, the difference in the sales price for Kings Pointe Greens is \$179,000. Thus, the Tribunal further finds, in terms of its influence on market value, the location of Kings Pointe Greens to be superior to that of the Kings Point area by nearly \$180,000.

With regard to Ms. Byrd's market analysis, Comparable No. 1 was reduced by \$20,000 for its golf course view. As the evidence has indicated that homes in Kings Pointe Greens border either the golf course or the woodland area, the Tribunal considers the view for this comparable to be similar to that of the subject property. Therefore, no adjustment shall be made. Upon adjusting each of the comparables by \$180,000 for the subject's superior location, as discussed previously, the adjusted sales price is \$644,250 for Comparable No. 1; \$593,700 for Comparable No. 2; and, \$647,300 for Comparable No. 3. The Tribunal gives the greatest consideration to Comparable No. 1 as it is most similar in the size and the view of the subject property. Consequently, the Tribunal finds the reconciled value of Ms. Byrd's market analysis and value indication for the subject property to be \$644,250. With regard to Mr. Snyder's market analysis, where Comparable No. 4 was reduced by \$25,000 for 2 story/model design and appeal, no adjustment was made to Comparable Nos. 2 and 3, which are also 2 story design and appeal. Therefore, no adjustment shall be made by the Tribunal. Also, where Comparables 1, 2 and 3 were given \$50,000 and \$40,000 minus adjustments for finished basements, Comparable No. 4 was given a minus adjustment of \$75,000. Mr. Snyder testified that he based the amount of the adjustment from information obtained from selling agents. (T 128). However, the Tribunal finds a minus adjustment of \$50,000 to be more in line with that given by Mr. Snyder to the other comparables. After adjusting Comparables 1, 2 and 3 by \$180,000 for the subject's superior location, as discussed earlier, the adjusted sales price is \$634,300 for Comparable No. 1; \$623,800 for Comparable No. 2; \$619,200 for Comparable No. 3; and, \$571,500 for Comparable No. 4. The Tribunal gives the greatest consideration to Comparable No. 4 as it required the least net adjustment and it, like the subject property, is located in Kings Pointe Greens. Consequently, the Tribunal finds the reconciled value of Mr. Snyder's market analysis and value indication for the

subject property to be \$571,500.

All of the comparables used by Respondent's assessor, Ms. Collias, are located in Kings Pointe Greens and on Kings Fairway, the same street as the subject. Thus, she recognized the significance of location in the selection of comparables. Ms. Betts testified that all but 4 or 5 of the 19 homes in Kings Pointe Greens border either the golf course or the woodland area. (T 49). Consequently, the homes used as comparables in Respondent's market analysis more than likely reflect similar views of nature/woods provided by Grand Blanc Commons or the golf course. The age of the comparable homes ranged from new to 7 years. No adjustments were made for age differences as Ms. Collias considered the comparables to be of similar vintage as the subject property. At the hearing, Ms. Collias testified to a few corrections to her market analysis, which resulted in adjusted values for Comparable No. 1 at \$645,404 (T 146), Comparable No. 2 at \$586,700 (T 152), Comparable No. 3 at \$666,562 (T 155) and Comparable No. 4 at \$627,424. Ms. Collias' indicated market value for the subject is \$631,522 and was based on the average of the adjusted sales price of the four comparables. However, rather than averaging the adjusted value indications of comparables, the Tribunal is aware that it is important that the appraiser consider the strengths and weaknesses of each value indication derived. These value indications are then resolved into a range of value or a single value indication. The Tribunal finds that Comparable No. 4 was on the market for \$675,000. (Exh R10-15). During her testimony, Ms. Collias stated that this comparable sold for \$650,000 (T 155), but not until 2004 and that the assessment date for the 2003 tax year is December 31, 2002. (T 168). Therefore, the Tribunal does not give any consideration to Comparable No. 4. The Tribunal gives the greatest consideration to Comparable No. 1 as, at 2 years old, it is the same age of the subject property, as

shown in the analysis, and its date of sale, November 20, 2002, is closest to the assessment date for the tax year at issue. Consequently, the Tribunal finds the reconciled value of Respondent's market analysis and value indication for the subject property to be \$645,400.

Both Petitioners' and Respondent's experts gave testimony about the difficulty in selecting properties comparable to the subject property. Ms. Byrd testified that she did not find any sales for ranch style homes in the Kings Pointe Greens area. Therefore, she used two-story homes in the Kings Pointe area and went outside the area to add a ranch style home as the third comparable. (T 65). Mr. Snyder testified that the difficulty of the appraisal assignment was because there were very few ranch style homes that have been built and sold in the Grand Blanc area. (T 108). Ms. Collias, in her testimony, confirmed that it is fair to compare a two-story to a ranch as long as certain adjustments are made. (T 148). The Tribunal finds where all three experts used two-story homes as comparables in their respective market analyses and made adjustments for size differences, none of the three comparables in Ms. Byrd's appraisal were located in Kings Pointe Greens; one of the four comparables used by Mr. Snyder was located in Kings Pointe Greens and all of the four comparables used by Ms. Collias were located in Kings Pointe Greens. Therefore, Respondent's comparable evidence was more persuasive to the Tribunal than Petitioners' comparable evidence. While the sale comparables offered by Petitioners offered some guidance with respect to the value of the subject, the Tribunal was persuaded by the testimony of the witnesses that the location of the subject property is sufficiently different from the location of the sales offered by Petitioners so as to render them less reliable as evidence of the value of the subject than the sale comparables offered by Respondent.

The Tribunal further finds the valuation methodology most indicative of the property's true cash value for the tax year at issue is the Sales Comparison approach as supported by the Cost approach.

The Tribunal has a duty to make an independent determination of value. In this case, Petitioners have failed in their burden of proof to present convincing evidence of their value contention. The Tribunal reviewed and analyzed Petitioners' valuation evidence and the calculations provided therein and find the same, as modified by the Tribunal, to provide reasonable support for the assessed value on the roll.

Based upon the findings of fact, the valuation discussion and analysis and the applicable statutory and case law, the Tribunal concludes Petitioners' contentions are not sufficiently documented to enable the Tribunal to conclude that the true cash value of the subject property is correct in the amount contended by Petitioners or that Respondent's assessment is unlawfully excessive.

The Tribunal further concludes for tax year 2003 that the true cash values and revised assessments of the subject property are as follows:

The original state equalized, assessed and taxable values on the roll for the subject property are:

Property Tax Code	Year	Original T.C.V.	Original S.E.V.	Original Assessment	Original Taxable Value
56-10-576-007	2003	\$590,000	\$295,000	\$295,000	\$295,000

The revised true cash, state equalized, assessed and taxable values for the subject property are:

Property Tax Code	Year	Revised T.C.V.	Revised S.E.V.	Revised Assessment	Revised Taxable Value
56-10-576-007	2003	\$590,000	\$295,000	\$295,000	\$295,000

JUDGMENT

IT IS ORDERED that the subject property's true cash, assessed and taxable values shall be revised for the tax years at issue as provided in the "Conclusions of Law" section of this Opinion and Judgment.

IT IS FURTHER ORDERED that the officer charged with collecting or refunding the affected taxes shall collect taxes and any applicable interest or issue a refund as required by this Order within 20 days of the entry of this Order. If a refund is warranted, it shall include a proportionate share of any property tax administration fees paid and of penalty and interest paid on delinquent taxes. A sum determined by the Tribunal to have been unlawfully paid shall bear interest from the date of payment to the date of judgment and the judgment shall bear interest to the date of its payment. A sum determined by the tribunal to have been underpaid shall not bear interest for any time period prior to 28 days after the issuance of this Order. As provided in 1994 PA 254 and 1995 PA 232, being MCL 205.737, as amended, interest shall accrue for periods after March 31, 1985, but before April 1, 1994, at a rate of 9% per year. After March 31, 1994, but before

January 1, 1996, interest shall accrue at an interest rate set monthly at a per annum rate based on the auction rate of 91-day discount treasury bill rate for the first Monday in each month, plus 1%. After January 1, 1996, interest shall accrue at an interest rate set each year by the Department of Treasury. Pursuant to 1995 PA 232, interest shall accrue (i) after December 31, 1995, at a rate of 6.55% for calendar year 1996, (ii) after December 31, 1996, at a rate of 6.11% for calendar year 1997, (iii) after December 31, 1997, at a rate of 6.04% for the calendar year 1998, (iv) after December 31, 1998, at a rate of 6.01% for the calendar year 1999, (v) after December 31, 1999, at a rate of 5.49% for the calendar year 2000, (vi) after December 31, 2000, at a rate of 6.56% for calendar year 2001, (vii) after December 31, 2001, at a rate of 5.56% for calendar year 2002, (viii) after December 31, 2002, at a rate of 2.78% for calendar year 2003, (ix) after December 31, 2003, at a rate of 2.16% for 2004, (x) after December 31, 2004, at the rate of 2.07% for calendar year 2005 and, (xi) after December 31, 2005, at the rate of 3.66% for calendar year 2006.

This Opinion and Judgment resolves all pending claims in this matter and closes this case.

MICHIGAN TAX TRIBUNAL

Entered: June 7, 2006

By: Sherry A. Lee, Tribunal Judge